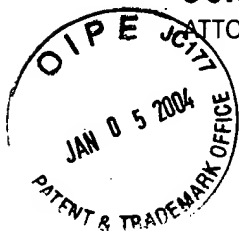




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Image

January 5, 2004

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Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**Art Unit 1636**

Re: U.S. Utility Patent Application  
Appl. No. 09/855,797; Filed: May 16, 2001  
For: **Recombinational Cloning Using Nucleic Acids  
Having Recombination Sites**  
Inventors: HARTLEY *et al.*  
Our Ref: 0942.285000G/RWE/BJD

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Amendment and Reply Under 37 C.F.R. §§ 1.111 and 1.121; and
2. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents  
January 5, 2004  
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

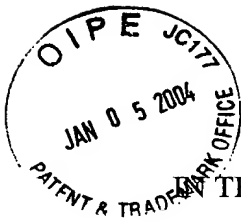
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "B. J. Del Buono", with a large, stylized flourish at the end.

Brian J. Del Buono  
Attorney for Applicants  
Registration No. 42,473

BJD/nef  
Enclosures

::ODMA\MHODMA\SKGF\_DC1;215395;1



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HARTLEY *et al.*

Appl. No. 09/855,797

Filed: May 16, 2001

For: **Recombinational Cloning Using  
Nucleic Acids Having  
Recombination Sites**

Confirmation No.: 2106

Art Unit: 1636

Examiner: Leffers Jr., G.

Atty. Docket: 0942.285000G/RWE/BJD

**Amendment and Reply Under 37 C.F.R. §§ 1.111 and 1.121**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the Notice of Non-responsive Amendment dated December 24, 2003, and in reply to the Office Action dated April 8, 2003 (Paper No. 8), Applicants submit the following Amendment and Remarks. In accordance with 37 C.F.R. § 1.121, this Amendment is provided in the following format:

- (A) Each section begins on a separate sheet;
- (B) Starting on a separate sheet, a complete listing of all the claims:
  - in ascending order;
  - with status identifiers; and
  - with markings in the currently amended claims; and
- (C) Starting on a separate sheet, the Remarks.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this

application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 19-0036.